

REMARKS

Claims 1-24 are pending in this application. Of these claims, claims 1 and 13 are independent in form. Claims 1-8, 11-20 and 23-24 have been rejected. Claims 1, 9, 13 and 21 are herein amended. No new matter has been added by these amendments. Applicant respectfully requests entry of the foregoing amendments and reconsideration of this application in view of the amendments and the following remarks.

Applicant gratefully acknowledges the Examiner's indication that claims 9-10 and 21-22 contain allowable subject matter.

Claim Rejections - 35 U.S.C. §103(a)

Claims 1-8, 11-20 and 23-24 have been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 4,972,453 to Daniel III, et al. ("Daniel") in view of admitted prior art. Applicant respectfully traverses these rejections. More specifically, Applicant respectfully submits that the combination of Daniel and CSTA protocol as the basis for the rejection of the pending claims is improper and the stated claim rejections cannot stand for at least several reasons.

The Examiner has discounted the import of the claimed "CSTA protocol" by virtue of its being in the preamble (see, Office Action, page 6). While Applicant respectfully disagrees with the Examiner, Applicant has herein amended independent claims 1 and 13 to recite, *inter alia*:

A control interface for linking a computer supported telephony application with a local PBX switch utilizing CSTA protocols... comprising:

(a) a computing platform coupled to the PBX local switch;...and

(c) component based interface objects running on said computing platform, said component based interface objects are

compatible with CSTA protocols and define properties, methods, and events

Applicant, as previously presented, again respectfully submits that the claimed invention is patentably distinct from the cited art. In direct contrast to the claimed elements, Daniel is directed to an expert system for maintaining remote computer systems. (See Abstract.) The stated purpose of Daniel is to provide a system for remotely maintaining PBX systems, which obviates the need for technicians to travel to a PBX location and connect to it locally. (See, Col. 1, lines 19-40). However, CSTA, on the other hand, provides an abstraction layer for telecommunications applications, which connect to local PBXs.

Furthermore, the Examiner has taken the position that the present invention as claimed is rendered obvious in view of the combination of Daniel and the CSTA protocol. Applicant respectfully disagrees.

Despite the Examiner's assertion that "it would have been obvious to one of ordinary skill in the art...to use the...CSTA protocol in Daniel because using an old and available protocol such as the CSTA protocol does not rise to the level of patentability," (Office Action, page 3), the Examiner has not pointed to any motivation to form such a combination as is required. Daniel's invention was expressly designed to connect to a PBX remotely and CSTA facilitates local PBX connections. Applicant respectfully submits that given the different focus of Daniel and CSTA, the Examiner has failed to provide any motivation to support combining the disparate teachings of Daniel with CSTA. Furthermore, inasmuch as the motivation to combine Daniel and CSTA appears to be taken from the present invention as claimed, such combination is improper and impermissible.

Moreover, Applicant has amended independent the body of claim 1 to explicitly recite, "component based interface objects are compatible with CSTA protocols and define

properties, methods and events....” Therefore, even assuming *in arguendo* that the combination of Daniel and CSTA is properly motivated, which it is not, Applicant respectfully submits that the claimed invention is still not anticipated by or rendered obvious in view of such combination. Applicant respectfully disagrees with the assertion that the component based interface objects that are compatible with CSTA protocols as claimed are comparable to Daniel’s expert system that invokes testing procedures and submits that Daniel in fact does not teach or suggest the claimed component based interface objects.

In the present invention, component based interface objects are built using a component-based software architecture, such as Microsoft ActiveX or Sun Microsystems JavaBeans. (See, page 5, lines 10-13 of the specification of the present invention.) These component-based software architectures are not merely software architectures built from random components, which is typical of many non-structured software paradigms. The term “component” has a special meaning in the context of component-based software architectures. A “component” of a component-based software architecture consists of an interface and a group of data. In general, these component interfaces are defined by properties, methods, and events. Applicant’s control interface provides property, method, and event interfaces to an application on one side and a CSTA interface to a PBX on the other side. (See, e.g., page 7, lines 10-18.)

The logical structure of component-based software is different than software constructed from other software architecture paradigms. Each component in a component-based architecture has a well-defined programming interface that simplifies component integration, in addition to thoroughly tested internal functionality.

In summary, Daniel fails to disclose, teach, or suggest the component-based software engineering architecture of the present invention. More particularly, Daniel fails to

disclose a control interface for linking a computer supported telephony application with a local PBX switch utilizing CSTA protocols using “component based interface objects [that] are compatible with CSTA protocols and define properties, methods, and events, said properties, methods and events being mapped to control substantially every event and service of said local PBX switch” as recited in amended claim 1.

Thus, Applicant submits that amended independent claim 1 is not anticipated nor rendered obvious by Daniel, even if properly combined with the CSTA protocol, because at least this claimed element is lacking even in such combination. Independent claim 13 is believed allowable for at least similar reasons as it is drawn to a method recitation corresponding to apparatus claim 1.

Dependent Claims

Applicant traverses the rejections of the dependent claims but have not independently addressed the individual rejections of the dependent claims because Applicant submits that dependent claims 2-8, 11-12, 14-20 and 23-24 are also allowable for at least similar reasons as stated for the amended independent claims from which they depend. Applicant however, reserves the right to address any individual rejections of the dependent claims should such be necessary or appropriate.

Objected to claims 9 and 21 have been rewritten in independent form including all of the limitations of the base claim and any intervening claim. The Examiner has indicated that these claims and claims 10 and 22 dependent therefrom respectively would be allowable if rewritten as such.

Accordingly, Applicant respectfully submits that the invention as recited in amended independent claims 1 and 13, and the claims depending therefrom, are not taught or

suggested by, and neither anticipated by nor rendered obvious in view of, and thus patentably distinct over, Daniel, taken individually or in combination with the art of record. Therefore, Applicant respectfully requests withdrawal of these grounds of rejections.

CONCLUSION

In light of the foregoing amendments and remarks, Applicant submits that the application is hereby placed in condition for allowance which action is earnestly solicited.

While Applicant believes the concurrently filed Petition for a One-Month Extension of Time makes this submission timely and that no additional extensions of time or fees are required for this Amendment, should an extension of time be necessary to render this filing timely or other fees be due, such extension is hereby petitioned, and the Commissioner is hereby authorized to charge any additional fees which may be required for this paper, or credit any overpayment, to Deposit Account No. 19-2179.

In the event that a telephone conference would facilitate prosecution, the Examiner is invited to contact the undersigned at the number provided.

Respectfully submitted,

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